

February 20, 2003

The Honorable Terrance R. Duncan
Presiding Judge of the Superior Court
Monterey County
P.O. Box 1819
Salinas, CA 93902

Dear Judge Duncan,

At their meeting on February 18, 2003, the City Council of the City of Sand City gave consideration to their response(s) to the following sections of the 2002 Report by the Monterey County Civil Grand Jury:

- (1) Availability of water on the Monterey Peninsula and Supplement to the Mid-year Final Report - The Role of the Monterey Peninsula Water Management District
- (2) Fluoridation of Drinking Water in Monterey County - Getting it Done

After reviewing these two sections and considering recommendations by the City staff, the Sand City Council approved the following responses to the Findings and Recommendations of the above two sections of the Grand Jury Report:

(1A.) Availability of Water on the Monterey Peninsula

The City Council agrees with the five Findings listed on page 45 of the Report. However, no response was required to this section.

(1B.) Supplement to the Mid-Year Final Report on Availability of Water on the Monterey Peninsula - The Role of the Monterey Peninsula Water Management District

The City Council believes that the voting public clearly indicated its preference on the advisory vote for the question of whether "the MPWMD should be dissolved?" by 66.5% in favor of dissolving the Water District (as stated in Finding #6 on page 49).

The City Council strongly agrees with the two recommendations on page 49 and 50 in this Section:

- ▶ That the existence of the MPWMD should be terminated by proper political process and the cities and County mount a joint effort to have their state legislators sponsor a bill in the legislature.

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- ▶ That the second option (#2b) should be selected to replace the current MPWMD - by forming a joint powers agency with a board of directors comprised of appointees from those same cities and the County.

Unfortunately the current Water District has not performed well in carrying out its primary mission of providing a reliable water supply for the Monterey Peninsula, we believe the primary reason that MPWMD has failed in this mission is because of the political structure of the present Water Board. The directly elected Board members have spent too much time, energy and money pursuing their own particular interests and not being focused on their primary mission. In fact, the Monterey Peninsula Mayors within the MPWMD District have met with Senator Bruce McPherson, who is working on legislation to dissolve or change the District. A joint powers agency board could maintain a steady direction and focus to improve the water supply and would not be interfering with - local governments' responsibilities for regulating land use.

By just changing the Board of Directors, the MPWMD should be able to continue its operations without interruption and maintain its finances, as well as financial arrangements and commitments already in place. This should enable the Water District to keep the present General Manager and most of the existing staff, who have accumulated much expertise on the water issues of the Monterey Peninsula area. The staff has not been the problem with the Water District - it has been the Board of Directors. The staff could be subject to further review and evaluation by the new Board.

(2) Fluoridation of Drinking Water in Monterey County - Getting It Done

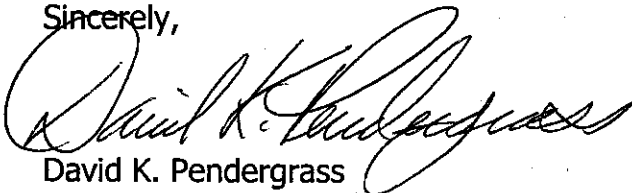
The City Council agrees with the three Findings on page 72 of this section on fluoridation of drinking water. The City of Sand City can support recommendation #3 (on page 72) to express public support for implementation of water fluoridation and to encourage a schedule for accomplishing these goals for the cities that are served by Cal Am Water Company. Sand City believes that the primary responsibility for this effort should rest with the new Water District Board of Directors and the Monterey County Health Department. Because of the varying public opinions on fluoridation, it may be appropriate to place this issue on the ballot for a vote by the public being affected. The Grand Jury's attention is directed to the enclosed January 30, 2002 Herald article in which Len Foster, the Monterey

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County Health Director, makes the comment that "The science is very clear. Fluoridation works."

As requested by the Grand Jury (and required by Sections 933 of the Penal Code), the City of Sand City is hereby submitting the above responses to the 2002 Grand Jury Report.

Sincerely,

A handwritten signature in black ink, appearing to read "David K. Pendergrass", written over a horizontal line.

David K. Pendergrass
Mayor

cc: MPWMD
Monterey Peninsula Cities
County of Monterey